

**MINUTES OF THE MEETING OF THE COMMON COUNCIL OF THE CITY OF CUDAHY,
HELD AT THE CUDAHY MUNICIPAL BUILDING, 5050 S. LAKE DR.
MILWAUKEE COUNTY, WISCONSIN
*Tuesday, June 22, 2010***

ROLL CALL

Mayor Anthony Day called the meeting to order at 7:00 PM. The following answered, "present" to the roll call: Council Members Mikolajczak, Schissel, Otto, Litkowiec and Bartoshevich. Also in attendance: Clerk/Treasurer Broderick, Comptroller Williamson, City Accountant Schuknecht, Dir. Office Ser. Toms-Neary, Police Chief Poellot and City Attorney Eberhardy.

MEETING STATEMENT

The proper open meeting statement was read at this time.

Mayor Day asked if there were any objections to taking Resolution No. 6623 out of order and there were no objections.

RESOLUTIONS

1. Discussion and appropriate action regarding Resolution No. 6623 entitled "A Resolution Authorizing the Borrowing of Not to Exceed \$4,250,000 and Providing for the Issuance and Sale of General Obligation Refunding Bonds". Mike Harrigan of Ehlers and Associates was present and explained that it was a management plan policy to consider refunding of debt issues for savings. He noted that the lower interest rates would reflect a savings of \$92,000 netable costs which comes to about \$8,000 to \$12,000 principal and interest savings annually. He noted that if interest rates moved in the other direction between now and the time of sale, Ehlers would notify the Mayor that the sale would be pulled. Discussion ensued. **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 6623. On the roll call vote, motion carried unanimously.

At this time, Donald N. Vilione of Baker Tilly presented the 2009 City of Cudahy Audit.

ADOPTION OF MINUTES:

MOTION MADE BY ALD. BARTOSHEVICH, SECOND BY ALD. MIKOLAJCZAK to approve the following minutes as listed. Motion carried unanimously.

1. Minutes of the meeting of the Common Council held June 1, 2010.
2. Minutes of the Personnel Meeting held June 1, 2010.
3. Minutes of the Rules, Laws & License Committee held June 2, 2010 and June 9, 2010.
4. Minutes of the Traffic & Safety Commission held June 16, 2010.
5. Minutes of the Board of Appeals held May 26, 2010.
6. Minutes of the Cudahy Family Library Board held May 6, 2010.
7. Minutes of the Board of Health held April 27, 2010.

APPROVAL OF CLAIMS

MOTION BY ALD. SCHISSEL, SECOND BY ALD. MIKOLAJCZAK to approve claims in the amount of \$759,384.15. Motion carried unanimously.

CORRESPONDENCE

Communication from Donald N. Vilione of Baker Tilly announcing his retirement.

NEW BUSINESS

1. Discussion and appropriate action regarding Community Development Authority Recommendation 2010-06-08-01 amending the By-Laws. The by-laws were changed to allow for moving the meetings of the CDA to the 4th Tuesday of every month. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. LITKOWIEC** to approve. Motion carried unanimously.
2. Discussion and appropriate action regarding approval of Proposed IT Services for the City of Cudahy with River Run Computers Inc. **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve. Motion carried unanimously.
3. Discussion and appropriate action regarding application of nuisance ordinance to nuisance apartments located on Packard Avenue. Alderperson Bartoshevich presented pictures to the Council. Ald. Bartoshevich stated that the City has a nuisance ordinance and felt that it could be applied to the problems at this location. He asked Police Chief Poellot to give a report on the situation. Police Chief Poellot reported that Sgt. Kitzrow is in charge of the nuisance ordinance which works well. Seven properties are currently being monitored for nuisance violations. They have been served notice that their properties have been deemed a nuisance. If the nuisance persists, they will be charged. Chief Poellot noted that the property on Packard owner on Packard will be brought before the Common Council after the next infraction. Further discussion ensued
4. Discussion and appropriate action regarding Mayor's appointment of Carter C. Hanson to the City of Cudahy Water Commission. **MOTION BY ALD. BARTOSHERICH, SECOND BY ALD. MIKOLAJCZAK** to approve appointment. Motion carried unanimously.

ORDINANCES

1. Discussion and appropriate action regarding Ordinance No. 2344 entitled "An Ordinance To Create Paragraph 9.10(4)(e) to Provide for Additional Exception to Noise Ordinance". **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to adopt Ord. 2344. Motion carried unanimously.

RESOLUTIONS

1. Discussion and appropriate action regarding Resolution No. 6617 entitled "A Resolution Allowing the Claim of David Grochowski". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. LITKOWIEC** to approve Resolution No. 6617. Motion carried unanimously.
2. Discussion and appropriate action regarding Resolution No. 6618 entitled "A Resolution Allowing the Claim of Cudahy Historical Society". **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. SCHISSEL** to approve Resolution No. 6618. Motion carried unanimously.

3. Discussion and appropriate action regarding Resolution No. 6619 entitled "A Resolution Denying the Claim of Diane Zagrodnick". Diane Zagrodnick and John Rapant appeared before the Council regarding this claim. **MOTION BY ALD. BARTOSHEVICH, SECOND BY ALD. SCHISSEL** to approve claim. On the roll call vote, Alderpersons Mikolajczak, Schissel and Bartoshevich voted "aye". Alderpersons Otto and Litkowiec voted "no". Motion carried. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to deny Resolution No. 6619. On the roll call vote, Alderpersons Mikolajczak, Schissel, and Bartoshevich voted "aye". Alderpersons Otto and Litkowiec voted "no". Motion carried.
4. Discussion and appropriate action regarding Resolution No. 6620 entitled "A Resolution Denying the Claim of John Rapant". **MOTION BY ALD. BARTOSHEVICH, SECOND BY ALD. MIKOLAJCZAK** to approve the claim. On the roll call vote, Alderpersons Mikolajczak, Schissel, Otto and Bartoshevich voted "aye". Alderperson Litkowiec voted "no". Motion carried. **MOTION BY ALD. BARTOSHEVICH, SECOND BY ALD. MIKOLAJCZAK** to deny Resolution No. 6220. On the roll call vote, Alderpersons Mikolajczak, Schissel, Otto and Bartoshevich voted "aye". Alderperson Litkowiec voted "no". Motion carried.
5. Discussion and appropriate action regarding Resolution No. 6621 entitled "A Resolution Allowing the Claim of David Casillas". **MOTION BY ALD. SCHISSEL, SECOND BY ALD. MIKOLAJCZAK** to approve. Motion carried unanimously.

MAYOR UPDATE

The Mayor gave an update regarding the Hoan Bridge.

ALDERPERSON UPDATE

Alderperson Mikolajczak gave his update regarding absentee landlords and current laws regarding troublesome properties.

LICENSES & PERMITS

New "Class B" Combination Liquor License

1. Discussion and appropriate action regarding request of Justin Fears, Agent for Vnuk's located at 5036 S. Packard Avenue and Richard J. MacDonald for 5132 S. Packard Ave. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve. Motion carried unanimously.

Renewal "Class B" Combination Liquor License

1. Discussion and appropriate action regarding renewal of "Class B" combination liquor licenses for Marilyn Samano-Mitchell, Agent (Samano's Restaurant) 3431 E. Plankinton Ave. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve. Motion carried unanimously.
2. Discussion and appropriate action regarding renewal of "Class B" combination liquor licenses pending building inspection for:
Roger Kirkpatrick, Agent (Grid Iron Sports Bar & Grill) 3800 E. Layton Ave.
Curtis J. Frahm, Agent (CJ's Station House) 3506 E. Layton Ave.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve licenses as listed. Motion carried unanimously.
3. Discussion and appropriate action regarding renewal of "Class B" combination liquor licenses pending fire inspection and police background check for Lee R. Barczak, Agent (Sheridan's) 5133 S. Lake Drive. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve licenses as listed. Motion carried unanimously.

4. Discussion and appropriate action regarding renewal of "Class B" combination liquor license pending building inspection and police background check for Anthony Koscinski Jr., Agent (Tat's Pub & Grill) 4671 S. Lake Drive. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve licenses as listed. Motion carried unanimously.
5. Discussion and appropriate action regarding renewal of "Class B" combination liquor license pending fire and building inspections and payment of tax to Department of Revenue for Zoric Djurdjica, Agent (Ilija's Place) 3701 E. Squire Ave. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve licenses as listed. Motion carried unanimously.
6. Discussion and appropriate action regarding renewal of "Class B" combination liquor license pending fire, building and health inspection and police background check for Richard J. MacDonald (Stingray's Pub & Grill) 5132 S. Packard Ave. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve licenses as listed. Motion carried unanimously.
7. Discussion and appropriate action regarding renewal of "Class B" combination liquor license pending fire and building inspections for:
Josefina Dombrowski, Agent (Time Outt) 4871 S. Packard Ave.
Aurora Herrera, Agent (La Serenata Mexican Restaurant) 4978 S. Packard Ave.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve licenses as listed. Motion carried unanimously.

Renewal of Class B Malt License

1. Discussion and appropriate action regarding renewal of Class B malt license pending fire inspection for Zhuohui Liang (Treasurer Garden) 4905 S. Packard Ave. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve licenses as listed. Motion carried unanimously.

New Combination "Class A" Combination Liquor License

1. Discussion and appropriate action regarding new applications for "Class A" liquor license pending fire, building and health inspections for:
Peter Quinones, Agent (South Shore Liquor) 3526 E. Layton Ave.
Robin A. Harmon, Agent (Walgreens) 6241 S. Packard Ave.
John Leitel, Agent (Walgreens) 3201 E. Layton Ave.
MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve licenses as listed. Motion carried unanimously.

Renewal of "Class A" Combination Liquor License

1. Discussion and appropriate action regarding renewal of Class A liquor license pending fire, building and health inspections for Peter Quinones, Agent (South Shore Liquor) 3526 E. Layton Ave. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve licenses as listed. Motion carried unanimously.

Extension of Premises (Permanent)

1. Discussion and necessary action regarding request for permanent extension of premises for CJ's Station House located at 3506 E. Layton Ave. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve licenses as listed. Motion carried unanimously.

2. Discussion and necessary action regarding request for permanent extension of premises for Light Palace Pub and Grill located at 5880 S. Packard Ave. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve licenses as listed. Motion carried unanimously.

Extension of Premises (Temporary)

1. Discussion and necessary action regarding request for extension of premises for Club Bagdad at 3776 E. Layton Avenue for July 17, 2010 Noon to 10PM. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve licenses as listed. Motion carried unanimously.
2. Discussion and necessary action regarding request for extension of premises for the Country Club located at 5928 S. Packard Ave. for 4th of July corn roast in parking lot. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve licenses as listed. Motion carried unanimously.

Used Auto/Salvage Dealers

1. Discussion and necessary action regarding request of Khairi A. Alhassan for Used Auto Dealership at 5800 S. Packard Avenue. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve licenses as listed. Motion carried unanimously.

Circus/Carnival

1. Discussion and necessary action regarding request of Big H Amusements (Susan Headley) for Cudahy Lion's Fest July 30, 2010 through August 1, 2010. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. LITKOWIEC** to approve licenses as listed. Motion carried unanimously.

Peddler Permit

1. Discussion and necessary action regarding requests of:
Charles F. Fendt of 5516 S. Illinois Ave. selling Klondike Ice Cream from truck.
Shawn Finch of 1437 W. Granada St., Milwaukee selling novelties at parades and festivals.
Nancy A. Finch of 3455 S. Howell Ave., Milwaukee selling novelties at parades and festivals. **MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH** to approve licenses as listed. Motion carried unanimously.
2. Discussion and necessary action regarding request of APX Alarm for door to door sales pending police background checks for:
Robert LeCheminant of 1174 E. Tiger Dr., Sandy, UT
Nolan Kjar of Gunnison, UT
Jordan Kunz Davis of 1594 E. 33005 Salt Lake City, UT
Joe Johnson of 8130 195th Ave., Bristol, WI
Trevor Catmull of 418 N. 300W, Orem, UT
Greg Jacobson of 1450 W. Mn. Canyon Rd., Wallsburgh, UT
Charles Petronovich of 744 E. 750 N#3, Provo, UT
Brian Wilson Keller of 107 Keystone Ranch, Carmen, ID
Adam Gage Fitzwater of 7729 S. 3530 W, West Jordan, UT
Jessica Otto of 370 W100N, Orem, UT
Raymond Joseph Sizemore of 370 W 100 N, Orem, UT
Marcelo Piovarcsik of 30537 Bay Hill Dr., Temecvia, CA
Spencer Scott Ririe of 1138 Meadow Ford Rd. #6, Provo, UT
Jesse Alo of 370 W. 100N, Orem, UT

Jacob Jeppson of 1230 E. 8320 S, Sandy, UT
Sterling Clark of 12130 S. Mountain Shadow Rd., Sandy UT
Bradon Haywood of 8245 Windsor Ave., Hesperia, CA
Travis Sabey of Goshen, UT
Talon Hawke Allen of 549 S. 4th W #37, Rexburg, ID
Kristopher Grover of 14 Adams Dr., Salmon ID
Braun Thueson of 1355 E. 3240 N, Lehi, UT
Geoff Berchneider of 10630 Beulah Rd., Pensacola, FL
Caleb Dwain Evans of 8259 S. 5060 W, West Jordan, UT
Motion made by Ald. Mikolajczak and seconded by Ald. Litkowiec to approve after company is checked out was rescinded.

MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to approve licenses as listed pending background check. On the roll call vote, Alderpersons Mikolajczak, Schissel, Otto and Bartoshevich voted "aye". Alderperson Litkowiec voted "no". Motion carried.

Hearing from Cudahy residents who wish to speak on any subject.

Tom Grimm of 6177 S. Robert spoke before the Council regarding ordinance controlling wood piles.

Tom Schmidt of 3954 E. Birchwood Ave. spoke before the Council regarding neighbor complaints regarding his spotlight and storage of firewood.

Jack Vaccaro of 4720 S. Packard Ave. spoke regarding problems relating to the Bicycle Race and lack of information to the businesses.

Vermetta Mick complaining about retaining wall at property of Gerald Mick.

ADJOURN

MOTION BY ALD. MIKOLAJCZAK, SECOND BY ALD. BARTOSHEVICH to adjourn at 9:00 P.M. Motion carried unanimously.

Passed and approved this 6th day of July, 2010.

Anthony Day, Mayor

ATTEST: Dennis Broderick, Clerk/Treasurer